

Message Text

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ACTION L-03

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 IO-13
ACDA-12 PM-05 NSC-05 SP-02 SS-15 CIAE-00 INR-10
NSAE-00 DODE-00 ISO-00 /118 W
-----099779 250713Z /13

R 242030Z AUG 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC 2972
INFO AMEMBASSY MEXICO
AMEMBASSY MOSCOW

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E.O. 11652: N/A
TAGS: UNGA, UR
SUBJ: GENERAL DEBATE ON NON-USE OF FORCE:
STATEMENTS BY MEXICO AND HUNGARY

REF: USUN 3266

1. GENERAL DEBATE CONTINUED IN THE SPECIAL COMMITTEE
ON THE NON-USE OF FORCE ON THE MORNING OF AUGUST 24
WITH STATEMENTS BY MEXICO (DE LA PEDRAJA) AND HUNGARY
(SZELEI). THE MEXICAN REP TOOK A RATHER SKEPTICAL
APPROACH TO THE SOVIET DRAFT TREATY AND WARNED AGAINST
BRINGING TO LIFE A LEGAL STRUCTURE WHICH WOULD NOT BE
AN IMPROVEMENT OVER THE EXISTING ONE. DE LA PEDRAJA
SUGGESTED THAT THE DEFINITION OF FORCE MUST BE REFINED
AND BROADENED TO INCLUDE NOT ONLY MILITARY FORCE BUT
ALSO PSYCHOLOGICAL FORCE AND ECONOMIC FORCE. HE ALSO
SUGGESTED THAT THE RIGHTS OUTLINED IN THE DECLARATION
ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES AND ALSO THE CONTENTS OF RESOLUTIONH2625
(DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW
CONCERNING FRIENDLY RELATIONS) AND RESOLUTIONH3314
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(DEFINITION OF AGGRESSION) BE INCLUDED IN ANY DRAFT
TREATY. DE LA PEDRAJA ALSO MAINTAINED THAT THERE IS
A NEED TO AMPLIFY ANY DRAFT TREATY'S PROVISIONS
CONCERNING THE PEACEFUL SETTLEMENT OF DISPUTES. HE
SAID THAT MEXICO IS WILLING TO CONSIDER A NEW DRAFT
TREATY TEXT IF IT WOULD NOT SIMPLY DUPLICATE THE UN
CHARTER (AND PERHAPS EVEN BE INFERIOR TO THE CHARTER)

OR CAUSE DESTABILIZING CONFUSION BUT WOULD INSTEAD BE
A STEP FORWARD AND A GENUINE CONTRIBUTION TO
INTERNATIONAL LAW.

2. THE HUNGARIAN REP ECHOED THE SOVIET STATEMENT OF
THE PREVIOUS DAY IN ASSERTING THAT A WORLD TREATY ON
THE NON-USE OF FORCE WOULD BE A USEFUL CONDIFICATION OF
INTERNATIONAL LAW WHICH WOULD CONTRIBUTE TO DETENTE,
PROMOTE DISARMAMENT, AND STRENGTHEN INTERNATIONAL
PEACE AND SECURITY. SZELEI REJECTED THE INTERPRETATION
OF SOME THAT A TREATY ON THE NON-USE OF FORCE WOULD
OVERLAP OR EVEN WEAKEN RELATED ARTICLES IN THE UN CHARTER.
HE INSISTED THAT UNGA RESOLUTION 32/150'S MANDATED GOAL
IS CLEARLY THE DRAFTING OF A WORLD TREATY ON THE NON-USE
OF FORCE, AND HE PREDICTABLY POINTED TO THE SOVIET DRAFT
AS A SOUND BASIS FOR FURTHER DELIBERATIONS. SZELEI SAID
THAT A TREATY ON THE NON-USE OF FORCE SHOULD NOT AFFECT
THE RIGHT OF STATES TO INDIVIDUAL OR COLLECTIVE SELF-
DEFENSE AND ALSO SHOULD "NOT AFFECT THE INALIENABLE RIGHT
OF PEOPLES UNDER COLONIAL AND RACIST REGIMES TO STRUGGLE
FOR THEIR FREEDOM."

3. AT THE END OF THE DAY'S SESSION, CHAIRMAN CANCELO
NOTED THAT NICARAGUA, PANAMA, PERU, CZECHOSLOVAKIA, AND
THE GERMAN DEMOCRATIC REPUBLIC HAD EXPRESSED THE WISH
TO CONTRIBUTE TO THE WORK OF THE COMMITTEE, AND HE READ
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THE FOLLOWING STATEMENT: "THOSE MEMBER STATES WHICH
INDICATE THEIR WILLINGNESS TO CONTRIBUTE TO THE WORK OF
THE COMMITTEE MAY WITH THE CONSENT OF THE COMMITTEE
MAKE STATEMENTS AND ELABORATE ORALLY ON REPLIES
SUBMITTED BY THEIR GOVERNMENTS." SINCE THERE WERE NO
OBJECTIONS CHAIRMAN INDICATED COMMITTEE HAD SO DECIDED.

COMMENT: THIS IS CONSISTENT WITH EXISTING PRACTICE
WHICH PERMITS ALL MEMBER STATES TO MAKE SUCH A REQUEST
AND LEAVES IT TO COMMITTEE TO GRANT PERMISSION TO TAKE
THE FLOOR. HOPEFULLY EXPRESS USE OF TERM MEMBER STATES
WILL DISCOURAGE NON-STATE ENTITIES FROM WANDERING INTO
THE EXERCISE. END COMMENT.
YOUNG

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NONAGGRESSION
Control Number: n/a
Copy: SINGLE
Draft Date: 24 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USUNN03294
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780348-0252
Format: TEL
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780825/aaaaavgl.tel
Line Count: 108
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 0f45105c-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 USUN NEW YORK 3266
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1627463
Secure: OPEN
Status: NATIVE
Subject: GENERAL DEBATE ON NON-USE OF FORCE: STATEMENTS BY MEXICO AND HUNGARY
TAGS: MPOL, PGOV, UR, UNGA
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0f45105c-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014